

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - November 12, 1969

Appeal No. 10233 Horning Brothers, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Arthur P. Davis not voting, the following Order of the Board was entered at the meeting of November 18, 1970.

EFFECTIVE DATE OF ORDER - August 21, 1970

ORDERED:

That the appeal for permission to provide off-street parking in front of building and variance from the rear yard requirements of the R-5-A District to permit apartment development at 312-358 Anacostia Road, SE., Parcels 203/61, 203/74 and 203/75, near Square 5409, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
 2. The subject property is presently being used for single family residence.
 3. Appellant proposes to construct an apartment development called Sousa Square. The development will contain 108 units, 18 one-bedroom units, 49 two-bedroom units and 41 three-bedroom units, with a day care center, community room and recreation facilities.
 4. Appellant requested a variance of the off-street parking requirements in front of buildings 1,7 and 8 on the interior of the site and a variance of the rear yard requirements on building No. 3.
 5. Appellant stated that the topography of the site drops from 108 to 64 feet, a difference of 42 feet from side to side thereby requiring the variance.
 6. No opposition to the granting of this appeal was registered at the public hearing.
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OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____



PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.